

Morgan Lewis

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August 17, 2023

VIA EMAIL

Kate Mueting
Sanford Heisler
700 Pennsylvania Avenue SE, Suite 300
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Re: Potential Litigation Regarding Your Client, Courtney McMillian

Dear Ms. Mueting:

As you know, we are counsel to X Corp., and I write on behalf of X Corp. and its predecessors, successors, and assigns, including but not limited to Twitter, Inc. (the "Company"). We understand that you represent the Company's former employee, Courtney McMillian, in connection with the complaint filed in the Northern District of California, 3:23-cv-03461, *McMillian v. Twitter, Inc.* (the "Complaint"). We also understand that the Complaint has not yet been served on defendants in that matter.

We are currently reviewing whether McMillian's conduct in retaining and using Company property, including but not limited to the Company's confidential, proprietary, trade secret, or privileged information, violates McMillian's legal or contractual obligations to the Company, or otherwise violates state or federal law. This is particularly concerning in light of McMillian's role as Senior Director, Compensation, the Head of Total Rewards.

In light of the pending and potential legal action and reasonable likelihood that McMillian may have discoverable documents or information concerning the matters addressed herein, this letter serves as a formal preservation of evidence request. **McMillian and anyone acting on her behalf may not destroy, delete, conceal, or alter relevant paper or electronic documents, files, and other relevant data. This includes, but is not limited to, all Company documents and information McMillian retained following her departure from the Company, any information or data concerning McMillian's efforts to obtain or retain such information, and any documents or information related to the allegations in the Complaint. Failure to comply with this notice may result in severe sanctions and potential liability for spoliation of evidence.**

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Please understand that the Company expects to conduct an examination of all relevant computers and portable media and any effort to destroy, alter, transfer, or delete any information can and will be discernable through forensic analysis. The Company expects McMillian to immediately return the Company-issued laptop in her possession and any other portable media or devices belonging to the Company, and to that end has sent McMillian a box to facilitate the immediate return.

If you have any questions regarding the above, please contact me promptly.

Sincerely,

/s/Melissa D. Hill

Melissa D. Hill

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